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MATTHEWS, COLLINS, SHEPHERD & GOULD, PA
SUITE 306
100 THANET CIRCLE
PRINCETON, NJ 08540-3662

In re Application of
Richard Gregory
Serial No.: 08/087,132
Filed: July 2, 1993
Attorney Docket No.: IG1012CN

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: PETITION DECISION
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This is in response to the petition under 37 CFR 1.181, filed November 26, 2004, for withdrawal of Express Abandonment inadvertently filed in this application.

A review of the file history shows that the examiner mailed a Final Office action to applicant on October 14, 2004, setting a three month shortened statutory period for reply. Following a telephone interview with the examiner on November 4, 2004, applicant prepared and filed an amendment on November 8, 2004, responding to the rejection. A letter of Express Abandonment was also prepared and inadvertently filed in this application on the same day, but was intended for a companion application. Upon discovery of the error applicant took appropriate steps to correct the error by contacting the examiner and by filing a request that the letter of Express Abandonment be disregarded. However, due to recent paper processing changes, letters of Express Abandonment are processed in the mail receipt area, not in the Technology Centers. Thus a letter acknowledging the Express Abandonment was mailed to applicant on November 16, 2004. This petition was then filed on November 26, 2004, with verified statements of how the error occurred. In view of the statements and clear inadvertent error on applicant's part as evidenced by a complete reply to the Office action filed the same day as the letter of Express Abandonment, the Notice of Abandonment is withdrawn and the application restored to pending status with the mailing of this decision.

The petition is **GRANTED**.

The application will be forwarded to the examiner for consideration of the amendment filed November 4, 2004.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, P.O. Box 1450, Alexandria, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number.



Bruce M. Kisliuk
Director, Technology Center 1600